

REMARKS

Claims 1-13 and 19-34 are pending with entry of this paper.

Applicant acknowledges the allowability of Claims 1-13 and 19-34. Please cancel Claims 14-18 without prejudice.

Double Patenting Rejections and Rejection premised upon Durrant

Claims 14-18 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting over Claims 17-21 of co-pending Application No. 10/586,744 and Claims 10-12, 14 and 16 of co-pending Application No. 10/566,589. Without addressing the merits of the double patenting rejections, Applicant has cancelled Claims 14-18 without prejudice solely to further prosecution in the matter thus rendering said rejections moot. Such a cancellation should not be construed as an estoppel or an acquiescence to the Office's interpretation of the co-pending applications or the claimed subject matter.

Further, Claims 14-18 stand rejected under Section 102(b) as being unpatentable over Durrant. Without addressing the rejection, Applicant has cancelled these claims solely to further prosecution in this matter. Such a cancellation should not be construed as an estoppel or an acquiescence to the Office's interpretation of Durrant or the claimed subject matter.

Reconsideration and withdrawal of the double patenting and Section 102(b) rejection are respectfully solicited.

Conclusion

As Claims 14-18 have been cancelled the instant application is in condition for allowance, and a notice to this effect is respectfully requested.

The Office is requested and hereby authorized to charge any required extension-of-time fees against Deposit Account Number 04-1679 to Duane Morris LLP.

If any point remains that is deemed best resolved through a telephonic conversation, the Office is hereby requested to contact the undersigned directly.

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